

Frequently Asked Questions About Management Directive-715

1. What is Management Directive-715?

Management Directive-715 (MD-715) sets forth general reporting requirements for federal agencies. MD-715 provides a roadmap for creating effective equal employment opportunity (EEO) programs for all federal employees as required by Title VII and the Rehabilitation Act.

MD-715 is the policy guidance which the EEOC provides to federal agencies for their use in establishing and maintaining effective programs of equal employment opportunity under Section 717 of Title VII of the Civil Rights Act of 1964 (Title VII), as amended, 42 U.S.C. . 2000e et seq., and Section 501 of the Rehabilitation Act of 1973 (Rehabilitation Act), as amended, 29 U.S.C. . 791 et seq.

2. What gives EEOC the authority to require a federal agency to comply with MD-715?

Title VII and the Rehabilitation Act mandate that all federal personnel decisions be made free of discrimination on the basis of race, color, religion, sex, national origin, reprisal or disability and also require that federal agencies establish a program of equal employment opportunity for all federal employees and job applicants. 42 U.S.C. . 2000e-16 and 29 U.S.C. . 791. The Commission has adjudicatory responsibilities in the federal EEO complaints process and oversight responsibility for federal programs required by Section 717 of Title VII and Section 501 of the Rehabilitation Act.

3. Is my agency covered by MD-715?

MD-715 applies to all executive agencies and military departments (except uniformed members) as defined in Sections 102 and 105 of Title 5 U.S.C. (including those with employees and applicants for employment who are paid from nonappropriated funds), the United States Postal Service, the Postal Rate Commission, the Tennessee Valley Authority, the Smithsonian Institution, and those units of the judicial branch of the federal government having positions in the competitive service.

4. Where can I find a copy of MD-715?

A copy of [MD-715](#) is on this web site.

5. When does MD-715 take effect?

MD-715 took effect on October 1, 2003.

6. What happened to MD-712, -713 and -714?

Management Directives -712, -713, and -714 were the Commission's prior guidance documents. All of those Management Directives and all related interpretative memoranda, were superceded as of October 1, 2003 and no longer constitute legal authority.

7. What about the reports the federal agencies file each year?

Part C of MD-715 requires each covered agency to report annually on the status of activities and to include a plan that sets forth steps the agency will take in the future to correct deficiencies or further improve efforts undertaken pursuant to MD-715. The due dates for such reports and plans will be set forth in the instructions which will be issued by the Commission.

For Fiscal Year (FY) 2003, federal agencies have no reporting requirements under former MD-712, -713 and -714 (e.g. forms 440, 441, 566 or 568). In other words, federal agencies are not required to submit any data, accomplishment reports or plan updates to EEOC for FY 2003. However, as discussed in greater detail below, federal agencies must use this period to prepare to implement MD-715. Please note, however, that this does not affect agencies' responsibilities to submit Form 462 EEO complaints processing data for FY 2003.

8. Does my agency have to do anything this year?

Yes. Federal agencies should immediately begin planning for operational changes needed to incorporate the six essential elements of model Title VII and Rehabilitation Act programs. In particular, the Commission notes that in some federal agencies, officials in the EEO office should begin to liaison with officials in other offices (such as Human Resources) to ensure that the agency will meet its obligations under MD-715.

9. What does MD-715 require federal agencies to do?

Although additional instructions and related forms will be issued by the Commission at a later date, agencies should have begun reviewing their programs and conducting self-assessments based on the requirements contained in MD-715. MD-715 requires federal agencies to conduct periodic self-assessments of their EEO policies and practices to ensure free and open workplace competition. An important component of MD-715 is the establishment of six Essential Elements for structuring model EEO programs at federal agencies.

MD-715 requires agency heads to compose a policy statement "expressing their commitment to equal employment opportunity and a workplace free of discriminatory harassment." Agencies are directed to evaluate managers based on their efforts to prevent discrimination and to track disciplinary actions taken

against managers found guilty of violating EEO policies.

MD-715 requires agency executives and managers to demonstrate that anti-discrimination efforts are working. For instance, agencies will need to submit self-assessments to the EEOC, identifying "barriers that impede free and open competition in the workplace" and detailing progress on eliminating the barriers.

10. What are the six Essential Elements of Title VII and Rehabilitation Act programs?

- Demonstrated commitment from agency leadership
- Integration of EEO into the agency's strategic mission
- Management and program accountability
- Proactive prevention of unlawful discrimination
- Efficiency
- Responsiveness and legal compliance

Each of these Essential Elements is thoroughly discussed in MD-715.

11. Will the EEOC provide any additional information or training on MD-715?

Yes. EEOC is currently developing related operational instructions that federal agencies will use to meet their responsibilities under MD-715. The Commission also will schedule training sessions which will be offered to all federal agency personnel having responsibilities under MD-715. A list of the sessions and information on registering for such sessions will be available on this website.

12. Are the requirements of MD-715 compatible with the No FEAR Act?

Yes. The Commission will ensure that reporting requirements associated with the new directive are compatible with the 2002 No FEAR Act, which also took effect October 1, 2003.

13. Whom should I contact for further information?

For further information or questions on MD-715, please contact Douglas Gallegos on (202) 663-4599 (voice) or (202) 663-4593 (TTY).

If your question concerns Form 462, please contact Linda Jackson on (202) 663-4599 (voice) or (202) 663-4593 (TTY).

Updates to this material can be found at www.eeoc.gov